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PTO/SB/01A (10-00).

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention ANTI-VIRAL 7-DEAZA D-NUCLEOSIDES AND USES THEREOF

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/627,586, filed on July 25, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Khalid Mekouar Citizen of: Morocco

Signature: _____ Date: _____

Inventor two: Robert Déziel Citizen of: Canada

Signature: Robert Déziel Date: October 6, 2003

Inventor three: _____ Citizen of: _____

Signature: _____ Date: _____

Inventor four: _____ Citizen of: _____

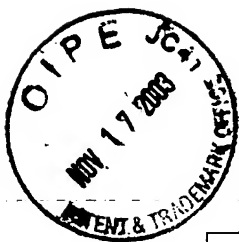
Signature: _____ Date: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 660081.442

418208



PTO/SB/01A (10-00).

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FULL NAME OF INVENTOR(S)

Inventor one: Khalid Mekouar

Citizen of: Morocco

Signature: (K1) [Signature]

Date: 10 October 2003

Inventor two: Robert Déziel

Citizen of: Canada

Signature: _____

Date: _____

Inventor three: _____

Citizen of: _____

Signature: _____

Date: _____

Inventor four: _____

Citizen of: _____

Signature: _____

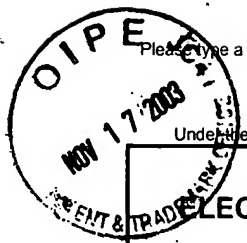
Date: _____

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Docket No. 660081.442

418208



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PTO/SB/81 (06-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**ELECTION AND POWER OF
ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	10/627,586
Filing Date	July 25, 2003
First Named Inventor	Khalid Mekouar
Group Art Unit	
Examiner Name	
Attorney Docket Number	660081.442

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC

Customer Number

00500

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest I/we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record

Name	Robert Cory, Ph.D., MBA: Vice President of Business Development
Signature	
Date	October 10, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

418206 [01-14-01]

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Khalid Mekouar and Robert DézielApplication No./Patent No.: 10/627,586 Filed/Issue Date: July 25, 2003Entitled: ANTI-VIRAL 7-DEAZA D-NUCLEOSIDES AND USES THEREOFMicrologix Biotech Inc.

(Name of Assignee)

a

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 10, 2003

Date

Robert Cory, Ph.D., MBA

Typed or printed name

(604) 221-9666 x 234

Telephone Number

Signature

Vice President of Business Development

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

COPY

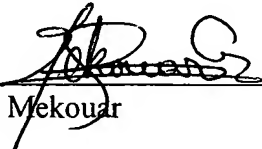
ASSIGNMENT

WHEREAS, we, **Khalid Mekouar**, having the mailing address of 257 Rue Boudrias, Laval, Quebec, Canada H7X4B6 and **Robert Déziel** having the mailing address of 546 Chester Street, Montreal, Quebec, Canada H3R 1W9 (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled "ANTI-VIRAL 7-DEAZA D-NUCLEOSIDES AND USES THEREOF," as described and claimed in the specification for which an application for United States letters patent was filed on July 25, 2003 and assigned Application No. 10/627,586; which application claims the benefit of U.S. Provisional Application No. 60/398,424, filed July 25, 2002;

WHEREAS, **Micrologix Biotech Inc.** (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, in the country of Canada, having a place of business at 3650 Wesbrook Mall, Vancouver, British Columbia, V6S 2L2, Canada, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date 1 October 2003 
Khalid Mekouar
City of Laval)
Province of Quebec) ss.

I certify that I know or have satisfactory evidence that Khalid Mekouar is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____

Date October 6, 2003 Robert Déziel
Date Robert Déziel
City of Montreal)
Province of Quebec) ss.

I certify that I know or have satisfactory evidence that Robert Déziel is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

660081.442 / 418209